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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/823,940	04/14/2004	Tatsuya Kuroda	09792909-5866	5280

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EXAMINER
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SARPONG, AKWASI

ART UNIT	PAPER NUMBER
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2625

MAIL DATE	DELIVERY MODE
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07/21/2008

PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b> 10/823,940	<b>Applicant(s)</b> KURODA ET AL.	
	<b>Examiner</b> AKWASI M. SARPONG	<b>Art Unit</b> 2625	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --**

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☒ This action is **FINAL**.                      2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-7 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-7 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 14 April 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All    b) ☐ Some \*    c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- |  |   |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)            | 4) <input type="checkbox"/> Interview Summary (PTO-413)           |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)   | Paper No(s)/Mail Date. ____.                                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08) | 5) <input type="checkbox"/> Notice of Informal Patent Application |
| Paper No(s)/Mail Date <u>03/27/2008</u> .  | 6) <input type="checkbox"/> Other: ____.                          |

## DETAILED ACTION

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

1. Claims 1-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Barrett (5301036) in view of Cariffe (6281872).

**Claim 1**, Barrett disclose a print terminal (Col. 2, Lines 26-40, Fig. 1) comprising:  
an image-capturing unit for receiving image data and outputting captured (Fig. 2, El. 4, Col. 2 Lines 35-45)

a first rotation-processing unit for creating a print image rotating the captured image data by a rotation angle, (**Col. 5, Lines 10-35, Fig. 2, El. 58**).

a second rotation-processing unit for controlling an orientation of a print medium relative to the print image by rotating a print- medium image (**Col. 8, Lines 34-60, Fig. 9 El. 216, 222 and 224-Thus doing duplex changes the orientation of document or paper**); and

a third rotation-processing unit for simultaneously rotating both the print image and the print-medium image (**Col.10, Lines 8-26, Fig. 11-thus for the device to output the desired document, the processor has to rotate both the image and the medium as seen in Fig. 11 from Column III to IV**).

Barrett does not disclose wherein the said rotating angle is selectable within a range of one to ninety degrees.

Cariffe discloses wherein the angle for rotation is within a selectable range within one to ninety degrees. (Col. 3 Lines 12-46, Fig. 6, thus El. 169 shows clearly that the image can be rotated around 45 degrees which can be selected between one and ninety degrees). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Barrett's editing system to include Cariffe's rotations editor which can rotate images within a range of one to ninety degrees so that there is a flexibility for the number of degrees that the image can be rotated.

**Claim 2**, Barrett in view of Cariffe discloses a print terminal, wherein the third rotation-processing unit rotates the print image and the print-medium image by 90 degrees (**Barrett: Col. 8 Lines 8-20, Fig. 11 shows clearly an image rotated 90 degrees**).

**Claim 3**, Barrett in view of Cariffe (**Col. 3 Lines 30-46, Fig. 6, El. 143 shows a 45 degrees tilted image**) discloses a print terminal wherein the third rotation-processing unit rotates the print image and the print-medium image by 90 degrees. (**Barrett: Col. 8 Lines 8-20, Fig. 11**).

**Claim 4**, Barrett in view of Cariffe discloses a print terminal that further comprising a reader for reading the image data from a recording medium, wherein the image-capturing unit receives image data read by the reader. **(Barrett: Col. 4 Lines 30-35, Fig.2 El. 50).**

**Claim 5**, Barrett discloses a print system **(Col. 3 Lines 26-30, Fig. 1)** comprising:  
an image-capturing unit for receiving image data and outputting captured image data: print terminal **(Col. 2 Lines 25-40, Fig. 2 El. 8)** including

an image-capturing unit for capturing image **(Col. 2, Lines 25-40, Fig. 2 El. 4)**  
data;

a first rotation-processing unit for creating a print image by rotating the captured image data by a rotation angle, said rotation angle being selectable within a range of one to ninety degrees; **(Col. 5, Lines 10-35, Fig. 2, El. 58).**

a second rotation-processing unit for controlling an orientation of a print medium relative to the print image by rotating a print-medium image **(Col. 8, Lines 34-60, Fig. 9 El. 216, 222 and 224-Thus doing duplex changes the orientation of document or paper);** and

a third rotation-processing unit for simultaneously rotating both the print image and the print-medium image **(Col.10, Lines 8-26, Fig. 11-thus for the device to output the desired document, the processor has to rotate both the image and the medium as seen in Fig. 11 from Column III to IV).**

and a printer for printing the print image on the print medium (**Col. 3 Lines 55-65, Fig. 2 El. 8**).

**Claim 6, -Cancelled**

**Claim 7**, Barrett discloses a computer- readable storage medium storing a program comprising the steps of:

an image-capturing function for capturing image data creating a print image by rotating captured image data by a rotation angle (**Col. 2, Lines 25-40, Fig. 2 El. 4**).

a first rotation-processing function for rotating a print image to be used in printing the image data captured by the image-capturing function ( **Col. 5, Lines 10-35, Fig. 2, El. 58**).

controlling an orientation of a print medium relative to the print image by rotating a print-medium image (**Col. 8, Lines 34-60, Fig. 9 El. 216, 222 and 224-Thus doing duplex changes the orientation of document or paper**)

simultaneously rotating both the print image and the print-medium image (**Col.10, Lines 8-26, Fig. 11-thus for the device to output the desired document, the processor has to rotate both the image and the medium as seen in Fig. 11 from Column III to IV**).

Barrett does not disclose wherein the said rotating angle is selectable within a range of one to ninety degrees.

Cariffe discloses wherein the angle for rotation is within a selectable range within one to ninety degrees. (Col. 3 Lines 12-46, Fig. 6, thus El. 169 shows clearly that the image can be rotated around 45 degrees which can be selected between one and ninety degrees). Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Barrett's editing system to include Cariffe's rotations editor which can rotate images within a range of one to ninety degrees so that there is a flexibility for the number of degrees that the image can be rotated.

**Response to applicant's remark**

The remarks filed by the applicant is considered by the examiner but was considered not persuasive.

**With regards to claim 1**, the applicant amended the claim to assert a limitation where the rotation software can rotate images within a selectable range of one and ninety.

**In reply**, Examiner cited Col. 3 Lines 15-47 of Cariffe . Barrett discloses all the limitations in claim 1 with the exemption of the above mentioned limitation. Cariffe discloses a rotation interface which includes the function of rotating the image data with the degree which is within a selectable range of one to ninety degree. 45 degrees was used as an example but different degrees can be selected.

Barrett does not disclose wherein the said rotating angle is selectable within a range of one to ninety degrees.

Cariffe discloses wherein the angle for rotation is within a selectable range within one to ninety degrees. **(Col. 3 Lines 12-46, Fig. 6, thus El. 169 shows clearly that the image can be rotated around 45 degrees which can be selected between one and ninety degrees)**. Therefore it will be obvious to one ordinary skilled in the art at the time the invention was made to modify Barrett's editing system to include Cariffe's rotations editor which can rotate images within a range of one to ninety degrees so that there is a flexibility for the number of degrees that the image can be rotated. For this reason the rejection is maintained.

### ***Conclusion***

1. **THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to AKWASI M. SARPONG whose telephone number is



Art Unit: 2625

(571)270-3438. The examiner can normally be reached on Monday-Friday 8:00am-5:00pm est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, King Poon can be reached on 571-272-7440. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/King Y. Poon/  
Supervisory Patent Examiner, Art Unit 2625  
AMS  
06/10/2008